

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION TRANSMITTAL UNDER 37 CFR 1.53**

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of:

Inventor(s): Wisam Breegi, Pericles Calias, Anthony P. Adamis, David Shima,
Emmett T. Cunningham

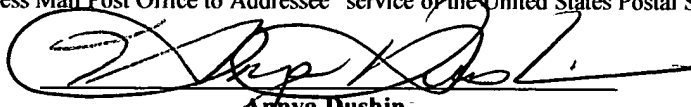
Title: **DRUG DELIVERY DEVICE AND SYRINGE FOR FILLING THE SAME**

1. Type of application

- This application claims priority benefit of U.S. Provisional Application No. 60/447,971 filed February 18, 2003 entitled "Device for Treating Ocular Diseases and Syringe for Filling the Same", Attorney Docket No. EYE-011P.
- Applicants claim small entity status (See 37 CFR 1.27)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **February 18, 2004** in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. ET731051275US


Anya Dushin

2. Application Papers Enclosed

- 1 Title Page
- 20 Pages of Specification (excluding Claims, Abstract, Drawings & Sequence Listing)
- 14 Page(s) of Claims
- 1 Page(s) of Abstract
- 7 Sheet(s) of Drawings ☐ Formal ☒ Informal (Figs. 1, 2, 3, 4, 5)

3. Oath or Declaration

- ☐ An executed declaration of the inventor(s) is enclosed
- ☒ Unexecuted – the undersigned attorney or agent is authorized to file this application on behalf of the applicant(s). An executed declaration will follow.

4. Additional Papers Enclosed

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Assignment Document
- ☐ A bibliographic data entry sheet
- ☐ Verified translation of a non-English patent application
- ☐ Nonpublication Request Under 35 USC 122(b)(2)(B)(i)
- ☒ Return receipt postcard
- ☐ Other _____

5. Priority Applications Under 35 USC 119

Certified copies of applications from which priority under 35 USC 119 is claimed are listed below and

- ☐ are attached ☐ will follow.

6. **Filing Fee Calculation (37 CFR 1.16)**

UTILITY APPLICATION

CLAIMS AS FILED – INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$385.00		\$770.00
TOTAL	68-20	= 48	X 9 =	\$432.00	X 18 =	\$0.00
INDEP.	2-3	= 0	X 43 =	\$0.00	X 86 =	\$0.00
First Presentation of Multiple Dependent Claim			+ 145 =	\$0.00	+ 290 =	\$0.00
FILING FEE:				\$817.00	OR	\$0.00

OTHER FEES

☐ Recording Assignment [Fee -- \$40.00 per assignment] \$_____

TOTAL FEES \$ **817.00**

7. Method of Payments of Fees

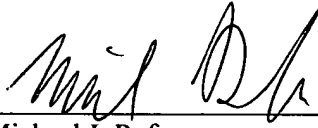
- ☐ Enclosed check
- ☐ Charge Deposit Account No. 50-3008. A duplicate copy of this transmittal is enclosed
- ☒ Fees are not enclosed

Please direct all future correspondence to **CUSTOMER NO. 40336**.

Respectfully submitted,

Date: February 18, 2004

By: _____


Michael J. Rafa
Attorney for Applicants
Reg. No. 38740
Customer No. 40336
Eyeteck Pharmaceuticals, Inc.
500 Seventh Avenue, 18th Floor
New York, NY 10018
Tel.: (212) 997-9241
Fax: (212) 997-9251